



LOUISVILLE & NASHVILLE RAILROAD COMPANY

908 W. BROADWAY • LOUISVILLE, KENTUCKY 40203

TELEPHONE (502) 587-5235

LAW DEPARTMENT

March 17, 1977

DAVID M. YEARWOOD
GENERAL ATTORNEY

Mr. Robert L. Oswald, Secretary
Interstate Commerce Commission
Washington, D. C. 20423

RECORDATION NO. 8753 ^A Filed & Recorded

MAR 21 1977-9 30 AM

INTERSTATE COMMERCE COMMISSION

Dear Mr. Secretary:

There is transmitted to you herewith for filing and recordation, pursuant to Section 20c of the Interstate Commerce Act, four duly executed counterparts of an Instrument of Release dated as of July 1, 1976 between Louisville and Nashville Railroad Company (successor by merger to Monon Railroad), whose address is 908 West Broadway, Louisville, Kentucky 40201, and Continental Illinois National Bank and Trust Company of Chicago, as Trustee, whose address is 231 South LaSalle Street, Chicago, Illinois 60693.

The Instrument of Release dated as of July 1, 1976 constitutes a release of all the railroad rolling stock set forth in Appendix A of said Release, a copy of which is attached hereto.

This Instrument of Release also constitutes a full and complete release of all of the obligations and trust property subject to that Trust Agreement between the parties hereto dated as of July 1, 1961, which is being filed currently with this Release.

Attached hereto is a draft in the amount of \$10 payable to the Treasurer of the United States to cover the recordation fee for said Release.

This letter of transmittal is signed by an officer of Louisville and Nashville Railroad Company designated for the purpose hereof who has knowledge of the matters set forth herein.

Paul Snyder

Paul Snyder

- 2 -

After recordation, please return two recorded counterparts of said Release to:

Mr. David M. Yearwood
General Attorney
Louisville and Nashville Railroad Company
908 West Broadway
Louisville, Kentucky 40201

Respectfully yours,

Louisville and Nashville Railroad Company

By David M. Yearwood
David M. Yearwood
General Attorney

Attachments

APPENDIX A

| <u>NUMBER OF UNITS</u> | <u>UNIT NUMBERS</u> | <u>DESCRIPTION</u> |
|----------------------------|--|-------------------------------|
| 6 | L&N 1318-1323 | 2000 HP Alco C-420 Frt. Loco. |
| 13 | Monon 2000-2012 | Box 70 Ton 50' 6" |
| 5 | Monon 2500-2504 | Box 70 Ton 50' 6" |
| 35 | Monon 50000-50008, 50010, 50012-50013, 50015-50016, 50018- 50021, 50023-50039 | Covered Hopper, 100-Ton |
| 5 | Monon 50009, 50011, 50014, 50017, 50022 | Covered Hopper, 100-Ton |
| 20 | Monon 6051, 22832-22833, 22836-22841, 22843, 22845-22852, 22854- 22855 | Auto Rack w/low Deck |
| 1 | Monon 22844 | Auto Rack w/low Deck |

8753-4
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Counterpart No. 4
of 4 Counterparts

INTERSTATE COMMERCE COMMISSION

THIS INSTRUMENT OF RELEASE, dated as of this 1st day of July, 1976, between CONTINENTAL ILLINOIS NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a national banking association organized and existing under the laws of the United States of America (hereinafter called the Trustee), and LOUISVILLE AND NASHVILLE RAILROAD COMPANY, successor by merger to Monon Railroad, a corporation duly organized and existing under the laws of the Commonwealth of Kentucky (hereinafter called Railroad),

WITNESSETH:

WHEREAS, by a Trust Agreement dated July 1, 1961 (hereinafter called the Trust Agreement), by and between the Trustee and the Railroad, it was agreed that the Railroad would authorize, make and deliver \$3,500,000 aggregate principal amount 4-3/4% Guaranteed Trust Notes, due 1962 through 1976, and \$1,500,000 aggregate principal amount 5% Guaranteed Trust Notes, due 1972 through 1976 (hereinafter called Notes), and that the Trustee would authenticate and deliver the said Notes under certain terms and conditions as set forth in the Trust Agreement; and

WHEREAS, the Railroad has pledged with the Trustee \$332,000 principal amount Chicago, Indianapolis and Louisville Railway Company 4% First Mortgage Bonds, Series B, \$591,000 principal amount Chicago, Indianapolis and Louisville Railway Company 4% First Mortgage Bonds, Series C, \$293,000 principal amount Chicago,

Indianapolis and Louisville Railway Company 4% First Mortgage Bonds, Series D, \$267,000 principal amount Chicago, Indianapolis and Louisville Railway Company 4% First Mortgage Bonds, Series E, the equity interest of the Railroad in \$3,175,200 principal amount of its First and Refunding Mortgage Bonds, Series O, and all rolling stock as more specifically set forth in Appendix A, which is attached hereto and made a part hereof; and

WHEREAS, Section 10 of the Trust Agreement provides that when the Railroad shall have paid in full, at their several maturities, the principal of and interest to and including the date of payment on all Notes, and if the Railroad shall have paid all other sums required by the Trust Agreement, and if the Railroad shall not be in default in any way under the terms of the Trust Agreement, the said Trust Agreement shall cease to be of further effect and the Trustee, upon written demand and at the cost and expense of the Railroad, shall execute proper instruments acknowledging satisfaction and discharge of the Trust Agreement and shall redeliver to the Railroad all of the trust property then held by the Trustee; and

WHEREAS, the Railroad has paid in full, at their several maturities, the principal of and interest to and including the date of payment on all notes and all other sums required by the Trust Agreement; and

WHEREAS, the Railroad is not in default in any way under the Trust Agreement and is therefore entitled to receive an instrument acknowledging such satisfaction and discharge;

NOW, THEREFORE, in consideration of the mutual promises herein and of One Dollar (\$1.00) paid to it by the Railroad, receipt of which is hereby acknowledged, the Trustee does hereby (1) acknowledge satisfaction of all payments required of the Railroad under the Trust Agreement, (2) transfer to the Railroad title to all trust property, as defined in Article One Section 1.1 of the Trust Agreement and more specifically set forth as to rolling stock in Appendix A which is attached hereto and made a part hereof, (3) redeliver to the Railroad the pledged Chicago, Indianapolis and Louisville Railway Company 4% First Mortgage Bonds, Series B, C, D and E, (4) release the equity interest of the Railroad in \$3,175,200 principal amount of its First and Refunding Mortgage Bonds, Series O, and (5) release and discharge the Railroad from said Trust Agreement.

The Railroad does hereby release and discharge the Trustee from any and all liability arising under the Trust Agreement.

The Railroad will cause this instrument to be filed and recorded with the Commission pursuant to Section 20c of the Interstate Commerce Act and will furnish a recorded counterpart thereof to the Trustee.

This instrument shall be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument.

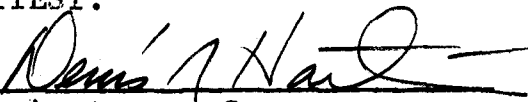
IN WITNESS WHEREOF, CONTINENTAL ILLINOIS NATIONAL BANK AND TRUST COMPANY OF CHICAGO, and LOUISVILLE AND NASHVILLE RAILROAD COMPANY, have caused this instrument to be signed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by their respective officers as of the day and year first above written.

CONTINENTAL ILLINOIS NATIONAL BANK
AND TRUST COMPANY OF CHICAGO

By 
~~Assistant~~ Vice President

[Corporate Seal]

ATTEST:


~~Assistant Secretary~~

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

By


Assistant Vice President

[Corporate Seal]

ATTEST:


Assistant Secretary

STATE OF ILLINOIS]
] SS:
COUNTY OF COOK]

On the 19TH day of JANUARY, 1977, before
me personally appeared M. I. KRUGER, to me
personally known, who, being by me duly sworn, says that he is an
~~Assistant~~ Vice President of CONTINENTAL ILLINOIS NATIONAL BANK AND
TRUST COMPANY OF CHICAGO, that one of the seals affixed to the
foregoing instrument is the corporate seal of said corporation,
that said instrument was signed and sealed on behalf of said
corporation by authority of its Board of Directors and he acknowl-
edged that the execution of the foregoing instrument was the free
act and deed of said corporation.

My commission expires

NOVEMBER 16, 1977

[Notarial Seal]


Notary Public

COMMONWEALTH OF KENTUCKY]
COUNTY OF JEFFERSON] SS:

On the 13th day of January, 1977,
before me personally appeared N.H. Stier,
to me personally known, who, being by me duly sworn, says that he
is an Assistant Vice President of LOUISVILLE AND NASHVILLE RAIL-
ROAD COMPANY, that one of the seals affixed to the foregoing
instrument is the corporate seal of said corporation, that said
instrument was signed and sealed on behalf of said corporation by
authority of its Board of Directors, and he acknowledged that the
execution of the foregoing instrument was the free act and deed
of said corporation.

My commission expires March 12, 1978.

Marvin J. Pavey
Notary Public

[Notarial Seal]

APPENDIX A

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